

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KATO *et al.*

Appl. No.: 10/555,343

§ 371 Date: November 1, 2005

For: **Freeze-Dried Preparation  
Containing Methylcobalamin and  
Process For Producing Same**

Confirmation No: 4524

Art Unit: 1614

Examiner: *To be assigned*

Atty. Docket: 1089.0590000/MAC/DJN

**First Supplemental Information Disclosure Statement  
under 37 C.F.R. § 1.97(b)**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering of this Supplemental Information Disclosure Statement is a continuation of Applicants' Information Disclosure Statement filed November 15, 2005.

Copies of documents **FP9** and **NPL15** are submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language document, **FP9**, cited on Form PTO/SB/08A:

Document **FP9**, JP 59-152327, is in the Japanese language. An English language abstract of document FP9 is attached as document **NPL15**. According to document NPL15, FP9 discloses a stabilized vitamin preparation that is prepared by adding at least

one type selected from the group consisting of dextran, hydroxyethylstarch, gelatin and reducing saccharides to vitamins, thus being storable for a long period of time.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.


This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Daniel J. Nevriy  
Agent for Applicants  
Registration No. 59,118

Date: May 16, 2007  
1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

670322\_1.DOC

Substitute for form 1449/PTO		<b>Complete if Known</b>	
<b>FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		Application Number	10/555,343
		Filing Date	November 1, 2005 (§ 371 Date)
		First Named Inventor	KATO <i>et al.</i>
		Art Unit	1614
		Examiner Name	To Be Assigned
Sheet	1	of	1
		Attorney Docket Number	1089.0590000/MAC/DJN

U.S. PATENT DOCUMENTS					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	US1				
	US2				
	US3				
	US4				
	US5				
	US6				
	US7				
	US8				
	US9				
	US10				
	US11				
	US12				
	US13				
	US14				
	US15				
	US16				
	US17				
	US18				
	US19				
	US20				

FOREIGN PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> Number <sup>2</sup> Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
/ZV/	FP9	JP 59-152327	08-31-1984	Otsuka Pharmaceut Co Ltd.		
	FP10					
	FP11					
	FP12					
	FP13					
	FP14					
	FP15					
	FP16					

670308\_1.DOC

Examiner Signature	/Zohreh Vakili/ (02/15/2008)	Date Considered	/Zohreh Vakili/ (02/15/2008)
--------------------	------------------------------	-----------------	------------------------------

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>7</sup> Applicant is to place a check mark here if English language translation is attached.  
 This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
 If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for form 1449/PTO				<b>Complete if Known</b>		
<b>FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Application Number</b>	10/555,343	
				<b>Filing Date</b>	November 1, 2005 (§ 371 Date)	
				<b>First Named Inventor</b>	KATO <i>et al.</i>	
				<b>Art Unit</b>	1614	
				<b>Examiner Name</b>	To be assigned	
<b>Sheet</b>	1	of	1	<b>Attorney Docket Number</b>		1089.0590000/MAC/DJN

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
/ZV/	NPL15	Patent Abstracts of Japan, English language abstract for Publication No. JP 59-152327, Stabilized Vitamin Preparation, published August 31, 1984, (listed on accompanying PTO/SB/08A as document FP1)	
	NPL16		
	NPL17		
	NPL18		
	NPL19		
	NPL20		
	NPL21		
	NPL22		
	NPL23		

670311\_1.DOC

Examiner Signature	/Zohreh Vakili/ (02/15/2008)	Date Considered	/Zohreh Vakili/ (02/15/2008)
-----------------------	------------------------------	--------------------	------------------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.